

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

JOHN ANTHONY CASTRO,

Plaintiff,

v.

SECRETARY OF STATE ANDREW
WARNER, and DONALD JOHN TRUMP,

Defendants,

WEST VIRGINIA REPUBLICAN PARTY,

Intervenor-Plaintiff.

Civil Action No. 2:23-cv-00598
The Honorable Irene C. Berger

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant Donald John Trump, by counsel, hereby notifies this Court of supplemental authority in support of Defendant's Motion to Dismiss, CM/ECF No. 33.

- *Kersey v. Trump*, Case No. 1:23-cv-12019, CM/ECF No. 4 (D. Ma. Nov. 1, 2023) (dismissing complaint seeking disqualification of Defendant from office under Section Three of the Fourteenth Amendment for lack of standing).

DONALD JOHN TRUMP,

By Counsel,

/s/ J. Mark Adkins

J. Mark Adkins (WVSB #7414)
Richard R. Heath, Jr. (WVSB #9067)
William M. Lorensen (WVSB #13223)
BOWLES RICE LLP
600 Quarrier St.
Charleston, West Virginia 25301
(304) 347-1100
madkins@bowlesrice.com
rheath@bowlesrice.com
wlorensen@bowlesrice.com

CERTIFICATE OF SERVICE

The undersigned counsel does hereby certify that on the **2nd** day of **November, 2023**, the foregoing *Notice of Supplemental Authority* was served upon all parties of record electronically via the Court's CM/EMF system as follows:

John Anthony Castro
12 Park Place
Mansfield, Texas 76063
J.Castro@CastroAndCo.com
Pro Se Plaintiff

Elgine Heceta McArdle
MCARDLE LAW OFFICE
2139 Market Street
Wheeling, West Virginia 26002
elgine@mcardlelawoffice.com

-and-

Jay Alan Sekulow
Jordan A. Sekulow
Stuart J. Roth
Andrew J. Economou
Benjamin P. Sisney
Nathan J. Moelker
THE AMERICAN CENTER FOR LAW
AND JUSTICE
201 Maryland Avenue, NE
Washington, DC 20002
sekulow@aclj.org
jordansekulow@aclj.org
sroth@aclj.org
aekonomou@aclj.org
bsisney@aclj.org
nmoelker@aclj.org
*Counsel for Intervenor-Plaintiff West
Virginia Republican Party*

Douglas P. Buffington, II
Chief Deputy Attorney General
Curtis R. A. Capehart
Deputy Attorney General
Chanin Wolfinbarger Krivonyak
Deputy Attorney General
Office of the Attorney General
1900 Kanawha Blvd. E., Bldg 1, Rm 26E
Charleston, West Virginia 25305
Doug.P.Buffington@wvago.gov
Curtis.R.A.Capehart@wvago.gov
ckrivonyak@wvago.gov
*Counsel for Defendant Andrew Warner,
West Virginia Secretary of State*

Michael R. Williams
Principal Deputy Solicitor General
David E. Gilbert
Deputy Attorney General
State Capitol Complex
Building 1, Room E-26
michael.r.williams@wvago.gov
dgilbert@wvago.gov
*Counsel for Intervenor The State of West
Virginia – Patrick Morrissey, Attorney
General*

/s/ J. Mark Adkins
J. Mark Adkins (WVSB #7414)